

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *gfe* D.C.
DEC 30 PM 2:39
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WESTERN DIVISION

EMILY D. ANDERSON,

Plaintiff,

vs.

No. 03-2489-DV

JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

ORDER

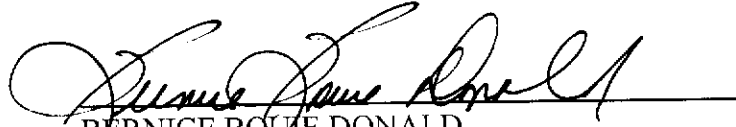
Plaintiff brought the present action pursuant to 42 U.S.C. §405(g) seeking judicial review of a decision by the Commissioner of Social Security denying her claim for benefits under the Social Security Act. On March 18, 2004, this court remanded the case to the Commissioner for further proceedings pursuant to sentence six of 42 U.S.C. §405(g). Plaintiff's counsel has filed an application for an award of attorneys fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. §2412(d)(1)(A). Plaintiff's application seeks fees in the total amount of \$5,395.81. Upon an independent review of the record, the court concludes that the position of the Commissioner in this litigation as not substantially justified, and further that the amount of fees sought by Plaintiff's counsel are reasonable.

For the foregoing reasons, it is

ORDERED that the Plaintiff's petition for attorney fees (Doc. #____) is GRANTED and

Plaintiff is awarded EAJA fees in the total amount of \$5,395.81.

DONE this 30th day of December, 2005.


BERNICE BOUIE DONALD
UNITED STATES MAGISTRATE JUDGE